

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

**PEDRO PALMA, Individually
and on Behalf of all Others
Similarly Situated**

PLAINTIFF

v.

No. 3:18-cv-208-DPM

**WEST MEMPHIS FENCE &
CONSTRUCTION, INC.**

DEFENDANT

ORDER

The motion for conditional certification, No 11, is denied without prejudice, with equitable tolling to Palma, and with instructions. The Court directs targeted written discovery and depositions on the employee/contractor issue, and on how defendant operates its business. In the circumstances, the Court prefers to consider conditional certification on a more-complete picture of defendant's operations and whether others are similarly situated. Renewed motion due by 29 July 2019.

So Ordered.


D.P. Marshall Jr.
United States District Judge

22 April 2019